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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 CHARLES V. FARNSWORTH, ) CASE NO. C08-0851-JCC-MAT  
09 Plaintiff, )  
10 v. ) ORDER RE: MOTIONS FOR ORDER  
11 ROBERT J. PALMQUIST, et al., ) TO SHOW CAUSE AND REQUEST  
12 Defendants. ) FOR ENLARGEMENT OF TIME  
13 \_\_\_\_\_ )

14 Plaintiff filed two motions seeking an order to show cause why defendants should not be  
15 held in contempt of court and containing a request for an enlargement of time. (Dkts. 55 &  
16 58.) He bases his requests for an order to show cause on defendants' failure to fully comply  
17 with a previous order directing them to serve various filings on him. (See Dkt. 54.) In the  
18 second motion, plaintiff notes that he had trouble obtaining postage for the mailing of his reply  
19 to his cross-motion for summary judgment and requests that the Court accept his reply, filed  
20 shortly after the filing deadline. Having considered plaintiff's requests and the responses of  
21 defendants, the Court does hereby find and ORDER:

22 (1) Defendants indicate they mistakenly overlooked a deadline for serving various

01 fillings on plaintiff, took immediate action to remedy the oversight, and did not object to an  
02 extension of time necessary to provide plaintiff with an opportunity to file his reply. (Dkts.  
03 56-57, 60.) Having considered defendants' responses, the Court finds no basis for issuing an  
04 order to show cause or holding defendants in contempt. Plaintiff's motions for an order to  
05 show cause (Dkts. 55 & 58) are, therefore, DENIED.

06 (2) Plaintiff provides a reasonable explanation for missing the deadline for  
07 submitting his reply. His request that the Court accept the late-filed reply is, therefore,  
08 GRANTED.

09 (3) The Clerk is directed to send copies of this Order to plaintiff, to defendants, and  
10 to the Honorable John C. Coughenour.

11 DATED this 2nd day of June, 2009.

12 s/ Mary Alice Theiler  
13 United States Magistrate Judge  
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